

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jerome H. Lemelson

Art Unit: 2654

Serial No.: 09/517,993

Examiner: Angela Armstrong

Filed: March 3, 2000

Title: System and Method for Enhancing Speech Intelligibility for the Hearing Impaired

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sent by Facsimile to 1-703-872-9306

DEC 07 2004

Information Transmittal and Status Request

In checking private pair I noticed that the most recent document description shows an entry of 09/27/2004 titled "Mail returned to USPTO as undelivered." In opening the two page document I found that it included a PTO-90C transmittal cover sheet (page 1) and a Notice of Insufficient Filing Fees (undated) as page 2 of 2. The Notice of Insufficient Filing Fees includes a section titled "APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYMENT." That section was filled out and sent to the PTO on September 13, 2004 per a Certificate of Mailing showing that date. NOTE: THIS IS PAGE 2 OF THE DOCUMENT DESCRIPTION IDENTIFIED ABOVE. IT IS FILLED OUT AND SIGNED BY ME. IT STATES THAT THE NECESSARY FEE OF \$86.00 WAS SUBMITTED WITH THE RETURN OF THE FEE.

I have attached a copy of what was sent to the PTO on September 13, 2004. I have also attached a copy of my file copy of the PTO-90C transmittal with a photocopy of my check on the copy. Also enclosed are copies of the two page document shown in the private pair system. It is clear to me that there may be a mistake in stating that the document that I returned to the PTO was "Mail returned to PTO as undeliverable" as I received the Notice of Insufficient Filing Fees sometime before September 13, 2004, on which date I sent the Notice back to the PTO. There is

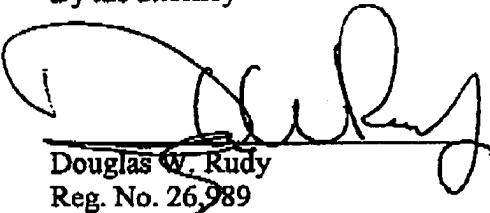
no "Date Mailed:" information on the Notice page, but it could be that it was mailed on September 7, 2004 as set forth on the PTO-90C cover page. It may be that the originals of the notices from the PTO were actually returned to the PTO as I don't have originals in my file. I only have photocopies. Also, I don't have a copy of Form PTO -875, said to be attached to the Notice, but this does not appear in my file.

I believe this application is in condition for allowance and would appreciate it if the application were sent to issue. Also, it seems that the issuance of the application has been held up by the PTO thus an extension of the term or duration of the patent is requested.

If there is any other information that may help you along on this matter please contact me at 602-741-8963.

Respectfully submitted,

JEROME H. LEMELSON  
By his attorney



Douglas W. Rudy  
Reg. No. 26,989

Dated: December 7, 2004

**CERTIFICATION OF FACSIMILE  
TRANSMISSION**

I hereby certify that this paper and the documents referred to as being attached herewith are being sent by facsimile transmission to the United States Patent and Trademark Office central facsimile number (703.872.9306) on December 7, 2004.

Douglas W. Rudy

LAW OFFICE OF DOUGLAS W. RUDY  
14614 North Kierland Boulevard  
Suite 300  
Scottsdale, Arizona 85254  
(602) 741-8963



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,993	03/03/2000	Jerome H. Lemeson		7624
23354	7590	09/07/2004		

LAW OFFICES OF DOUGLAS W RUDY LLC  
 14614 NORTH KIERLAND BLVD  
 SUITE 300  
 SCOTTSDALE, AZ 85254

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EXAMINER

ARMSTRONG, ANGELA A

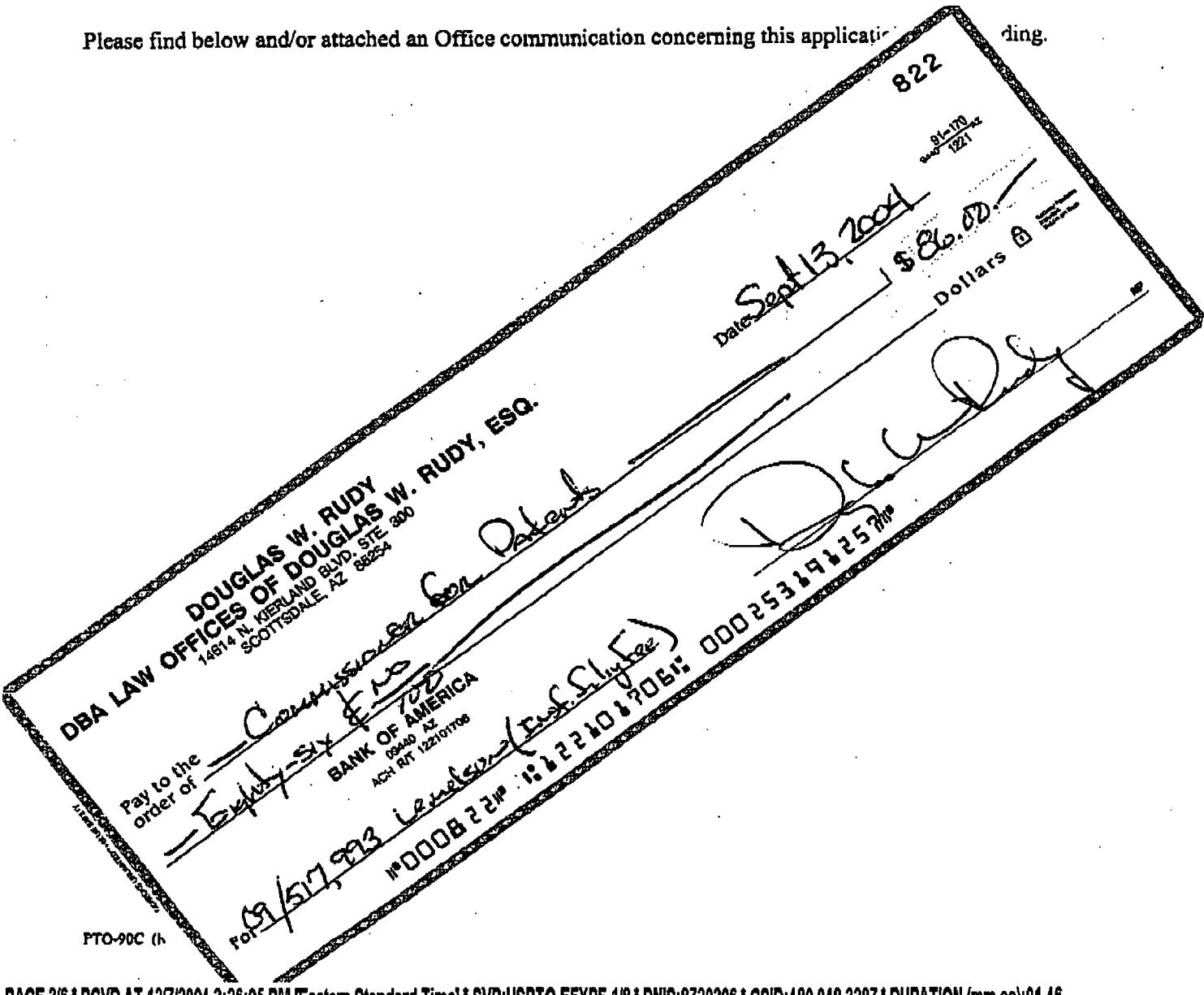
ART UNIT

PAPER NUMBER

2654

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application.



DEC-07-2004 14:16

LAW OFFICES



480 948 3387 P.04/06  
 UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 ASSISTANT SECRETARY OF COMMERCE AND  
 COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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ART UNIT PAPER NUMBER

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## NOTICE OF INSUFFICIENT FILING FEES

APPLICANT IS GIVEN 30 DAYS FROM THE DATE OF MAILING OF THIS NOTICE WITHIN WHICH TO SUBMIT THE BALANCE DUE. Extension of this 30 day period under 37 CFR 1.136(a) will not be permitted. Failure to respond within this period will result in the application becoming abandoned. 35 U.S.C. 133.

The filing fees submitted in connection with this application are insufficient. See the attached Patent Application Fee Determination Record (Form PTO-875). The balance due for additional claims and/or multiple dependent claims is summarized below:

A. Filing Fees due upon filing the application

Total Filing Fees Due	= \$ _____
Less Filing Fees Submitted	- \$ _____
<b>BALANCE DUE</b>	= \$ _____

B. Fees due in connection with the amendment filed on 6-21-04

Total Fees Due	= \$ <u>172.00</u>
Less Fees Submitted	- \$ <u>86.00</u>
<b>BALANCE DUE</b>	= \$ <u>86.00</u>

ATTACHMENT: FORM PTO-875

(Not Attached)

Bobbie Davenport  
 Clerk of Group

APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYMENT

Fee submitted \$ 86.00

Signature

## CERTIFICATE OF MAILING

I hereby certify that this notice and the required additional fees are being deposited with the U. S. POSTAL SERVICE as first class mail in an envelope addressed to:  
 Commissioner of Patents and Trademarks, Washington, D.C. 20231, on (date) 13-7-2004

Print Name: Douglas W. Rude

Signature:



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1650  
 Alexandria, Virginia 22311-1650  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/517,993	03/03/2000	Jerome H. Lomax		7624
23354	7590	09/07/2004	EXAMINER	
LAW OFFICES OF DOUGLAS W RUDY LLC			ARMSTRONG, ANGELA A	
14614 NORTH KIERLAND BLVD				
SUITE 300			ANT UNIT	PAPER NUMBER
SCOTTSDALE, AZ 85254			3554	

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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BALANCE DUE	= \$ <u>86.00</u>

ATTACHMENT: FORM PTO-875

(Not Attached)

Dollie Davenport  
Clerk of Group

09/24/2004 ER08011 00000082 05517583  
CL-00-15  
01 FC1283

APPLICANT: PLEASE COMPLETE THIS PORTION AND RETURN THIS NOTICE WITH PAYMENT

Fee submitted \$ 86.00

Signature D. W. Rely

#### CERTIFICATE OF MAILING

I hereby certify that this notice and the required additional fees are being deposited with the U.S. POSTAL SERVICE as first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231, on (date) September 13, 2004

Print Name: Douglas W. Rely

Signature: D. W. Rely